



Policies and Procedures

Subject: Training the Workforce on the Privacy and Security of PHI

Policy Number: HIPAA 3.6

Effective Date: 7/10/04

Entity Responsible: Division of General Counsel

Revision Date: 1/11/18

1. Purpose:

To provide guidance and instruction on training the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) workforce on laws, regulations, policies, and procedures governing the privacy and security of protected health information (PHI) under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended, and other relevant federal and state laws.

2. Policy:

The TDMHSAS must train all members of its workforce on the privacy and security regulations of HIPAA and 42 C.F.R Part 2, as well as the confidentiality provisions T.C.A Title 33, and any other laws as appropriate. This training must include reviewing all departmental policies and procedures with respect to the privacy and security, as well as the use and disclosure, of PHI as necessary and appropriate to carry out their duties.

3. Procedure and Responsibility:

3.1: The TDMHSAS Privacy Officer must ensure that the Central Office workforce and each RMHI Privacy Officer must ensure that their RMHI workforce is trained on the privacy and security regulations of HIPAA and 42 C.F.R Part 2, as well as the confidentiality provisions of T.C.A. Title 33, and other laws as appropriate. This training must include reviewing all departmental policies and procedures with respect to privacy and security, as well as the use and disclosure, of PHI as necessary and appropriate to carry out the workforce duties.

- 3.2: Each new member of the TDMHSAS or RMHI workforce is to be trained after the person joins the workforce. This training should take place within a reasonable period of time after their hiring.
- 3.3: If there is a material change in the above mentioned laws, regulations, policies, and procedures, the TDMHSAS or RMHI workforce whose functions are affected by such change shall be trained on the material change within a reasonable period of time after the change becomes effective.
- 3.4: The TDMHSAS Privacy Officer and each RMHI Privacy Officer must document that training has been provided. This documentation must be retained as long as individual works for the TDMHSAS or RMHI, however, no less than for six (6) years.
- 3.5: The TDMHSAS Privacy Officer must advise the Central office workforce via a Department-wide email when TDMHSAS privacy and security policies have been revised, approved by the Commissioner, and posted on the TDMHSAS website.

4.0 Other Considerations:

- 4.1: Authority
45 CFR §164.530

Approved:

Marie Williams
Commissioner

1-11-18
Date